

FEB 1 2 2004  
PATENT & TRADEMARK OFFICE

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND  
INTERFERENCES

Client-Matter No.: 66797-117

In re Application of Huse and Freedman

Serial Number: 09/839,469

Filed: April 20, 2001

For: METHOD FOR IDENTIFYING OPTIMAL  
BINDING LIGANDS TO A RECEPTOR

Group Art Unit: 1639  
Confirmation No.: 2981

Examiner: M. Baker

FEB 24 2004

Applicant hereby appeals to the Board of Appeals from the decision dated August 12, 2003.

1.    Appeal fee (37 C.F.R. 1.17(b))

- other than small entity \$330.00  
  X   small entity \$165.00  
   Verified statement attached  
  X   verified statement previously filed in parent application 09/169,048,  
and such status is still proper.

2.    A petition for an extension of time for reply to the rejection is attached.

- X   Extension fee (37 C.F.R. 1.17(a) - (c))  
   other than small entity  
   \$110.00    \$420.00    \$950.00    \$1,480.00  
  X   small entity  
   verified statement attached  
  X   verified statement previously filed in parent application 09/169,048,  
and such status is still proper.  
   \$55.00    \$210.00   X   \$475.00    \$740.00

3. Please charge my Deposit Account No. 502624 the amount of \$640.00, \$475.00 of which covers the fee for a three-month extension of time and \$165.00 which covers the notice of appeal fee. A duplicate copy of this sheet is enclosed.

4.   X   The Commissioner is authorized to charge any additional fees required to file a Notice of Appeal to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

February 12, 2004  
Date February 12, 2004

Deborah L. Cadena  
Deborah L. Cadena  
Registration No.: 44,048  
Agent for Applicant

McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122  
858-535-9001

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"EXPRESS MAIL" MAILING LABEL NUMBER:  
EV 400553040 US  
DATE OF DEPOSIT: February 12, 2004  
I HEREBY CERTIFY THAT THIS PAPER OR FEE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE"  
SERVICE 37 C.F.R. 1.10 ON THE DATE INDICATED  
ABOVE, AND IS ADDRESSED TO: COMMISSIONER FOR  
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-  
1450.

Paul A. Sklar  
Paul A. Sklar

02/20/2004 SZEWDIE1 00000142 502624 09839469  
02 FC:2401 165.00 DA

Inventors: Huse and Freedman

Serial No.: 09/839,469

Filed: April 20, 2001

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X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Deborah L. Cadena  
Registration No. 44,048

McDERMOTT, WILL & EMERY

4370 La Jolla Village Drive

Suite 700

San Diego, California 92122

858-535-9001

FEB 12 2004  
PATENT & TRADEMARK  
DIVISION

AMENDMENT TRANSMITTAL LETTER			CLIENT-MATTER NO.: 66797-117 (P-IX 4692)	
SERIAL NO: 09/839,469	FILING DATE: April 20, 2001	EXAMINER: M. Baker	GROUP ART UNIT: 1639 CONFIRMATION NO.: 2981	
INVENTION: METHOD FOR IDENTIFYING OPTIMAL BINDING LIGANDS TO A RECEPTOR				

Mail Stop AF  
TO: Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 400553040 US  
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DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS  
MAIL POST OFFICE TO ADDRESSEE" SERVICE 37 C.F.R. 1.10 ON  
THE DATE INDICATED ABOVE, AND IS ADDRESSED TO:  
COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA  
22313-1450.

FEB 24 2004

Paul Choi  
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)  
Paul Choi  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Transmitted herewith is a Response to the Office Action mailed August 12, 2003, in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27.
- ☒ Petition for Three-Month Extension of Time is enclosed (in duplicate).
- ☒ Notice of Appeal (in duplicate).
- ☐ Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- ☒ No additional claims fee is required.
- ☐ An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	18	-	20	-	0	x	\$9	\$18	=	\$0.00	\$
INDEPEN- DENT CLAIMS	2	-	3	-	0	x	\$42	\$84	=	\$0.00	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM											
			YES		XX NO		\$140	\$280	=	\$0.00	\$
							TOTAL ADDITIONAL FEE			\$0.00	\$

\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

\*\* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

\*\*\* If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

- ☒ Please charge my Deposit Account No. 502624 the amount of \$640.00, \$475.00 of which covers the fee for a three-month extension of time and \$165.00 covers the notice of appeal fee. A duplicate copy of this sheet is enclosed.